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Foreign Correspondence, Items, etc.

EXTRACTS from a letter by an American artist, dated Carlsruhe, March 11th, 1861.

LESSING AND ACHENBACH.

" You have recently asked for my opinion respecting Lessing as a landscape painter. Perhaps I cannot better give you an idea of his style and excellence than by drawing a sort of comparison between him and Andreas Achenbach; as they may be considered types, or representatives, of opposite styles, or, rather, efforts. They both have extraordinary command over the materials of their art, but differ widely in their landscapes, Achenbach being a materialist, and Lessing an idealist. This distinction is, perhaps, difficult to comprehend, when both can represent their subjects with all fidelity. In all that Achenbach does, he shows himself a *perfect* master of drawing, coloring, chiaro-oscuro: the same can be said of Lessing. Much of their difference lies, certainly, in the choice of subject; Lessing being, in this respect, always the true artist, that is, he is elevated, refined, and exceedingly poetical. In his expression, too, he uses simple, legitimate means, so that, when contemplating one of his pictures, one is not tempted to run up to examine its texture; its very simplicity being a protest against its being inspected closely. Achenbach, on the contrary, always invites attention to the manipulation; and you find out that, besides taking advantage of all possible accidents, he produces many of his effects by means of files, fine-tooth combs, tenpenny nails, bits of wire, his own fingers, etc. Consequently he has a great reputation as a *technist*, and I must say that his pictures are truly wonderful in this respect. Mr. _____ has told me that some of his broadest, dashiest touches have been tediously worked over with a small camel-pair pencil, making the result of a half-day's labor appear to be but the off-hand dash of a happy moment. The conduct of Lessing differs as widely from all this as the truths of a philosopher from the traps of a juggler. Achenbach has, perhaps, a wider range, as he paints equally well all phases of landscape, besides the sea, icebergs, etc. Lessing is more fond of quiet landscape, though he indulges sometimes in stormy skies and windy woods. In all that he paints, there seems to be truth combined with a rare sense of beauty; and, indeed, his landscapes are the most beautiful I have ever seen. The changes which the style of Achenbach undergoes are confined to the threads of his canvas, that is, from a high, hard finish to a more masterly touch; while Lessing advances simply and poetically from the beautiful to the more beautiful.

" From these remarks you can easily perceive *my* estimate of Lessing's power as a landscape painter. Lessing's character as a man, too, is worthy of all praise. He is quiet, modest, and not at all afflicted with self-consciousness, as are so many German painters of reputation. He is universally beloved, almost worshipped, in fact, by the young painters here. In his presence, one feels like rushing up and embracing

him, instead of observing a stiff, bowing ceremonial, which so many smaller men command. I am often inclined to smile at the stiffness and cold politeness with which some of these German professors have to be approached. They are as inaccessible as a Norwegian iceberg, and little is to be gained after reaching them; while there is a fertile valley near by, which requires no climbing, and where one can gather golden fruit. I am sorry to add, that Lessing has lately been very sick, and I have not seen him for some time. I trust, however, he will soon be well again.

INFERNAL PICTURES.

" I do not recollect seeing the pictures you speak of, by Peter Breugel: * that is, I cannot distinctly call them to mind. The Breugels painted a great many pictures, and their works, many of which possess a great deal of merit, are found in nearly every gallery of consequence in Europe. They are generally small, and are highly finished; the foliage in the landscapes particularly so, being painted leaf by leaf. Many of the old painters indulged, with a peculiar relish, in such subjects as you describe. They seemed to have loosened the reins of their wildest phantasies while depicting the diabolical ravings and tossings of condemned souls in Purgatory and Hell. Perhaps the greatest picture in the old Pinacothek, in Munich, is one of this sort, called the "The Fall of the Damned," by Rubens. It is not one of his large works, but looks somewhat as though it might have been a study for a very large picture. A crowded mass of human forms is sweeping headlong through the scene, in every variety of mental and corporeal agony. Fore-shortened humanity seems to have been thrust out of Heaven without any mercy; and the devils down below are making Hell hideous with infernal delight at the sudden acquisition. It is a long time before one can properly appreciate the wonderful merits of this picture. It is repulsive in subject, and, at first sight, looks much like a rolling mass of intestines highly colored. The masterly coloring of this work has been greatly praised by Sir Joshua Reynolds, and also by Burnet, in his work on Painting. In Nuremberg, in the sculptures over the doors of the great churches, I was much struck with the naïveté manifested in rendering such subjects as the souls being taken to Hell. The condemned are simply bound together with a rope, and are dragged by a devil into the jaws of a monster, whose head alone is visible in the relief. The condemned exhibit no contortion, but their figures and faces wear only an expression of *extreme regret* at their inevitable fate: the jaws of Hell are wide open before them, and down they must all go!

" The old painters used often to give vent to their private spite by putting the portraits of their personal enemies in Hell or in the flames of Purgatory. A sort of imitation of this principle is found in a large fresco by Cornelius, in the Ludwig's church, in Munich. This painter has seen fit to insert the portrait of Martin Luther among the damned in this picture, which represents the Last Judgment." . . .

* The pictures alluded to were called Purgatory and Hell.

Dear Crayon:

I scarcely know whether, amidst the distractions of war and warlike excitements, your readers think or care about what is going on here in the quiet regions of Art. Some there are, doubtless, who do; and as the others are by no means compelled to read, but have entire authority to tear, burn, or otherwise destroy this paper, I shall proceed to write something about the Old Society of Painters in Water Colors, having in a former letter said something about the New Society.

My first remark shall be that the exhibition is altogether a very good one, and contains a great many works of very high merit; but also many, which although generally praised by the small critics, are, to my poor judgment, exceedingly bad. In landscape, Duncan and George Fripp both take a very high rank, and their works are amongst the chief attractions of this year's exhibition. Their pictures have *tone*, which is becoming a comparatively rare feature, especially among the pre-Raphaelites, and are quiet, though rich and beautiful in color. Finch and Gastineau, two painters of the old water-color school (indeed the only two survivors of that school), have some very good pictures, painted generally in a quiet and rather low tone of color, but full of light and repose—especially the former; for in his more ambitious subjects, Gastineau seems not to be equal to the effort. David Cox the younger has some excellent landscapes, quiet and broad in treatment, but I think he can and will do better. In architecture Read is excellent, as usual, and is an improving artist. I must not overlook Birkett Foster, well known everywhere by his beautiful wood engravings. His large picture I do not like at all, but some of his smaller works—children running down hill, for instance—are very beautiful. I do not like his style, his handling, which is infinitesimally minute; but with all this, he shows more breadth of effect than was visible in his performances of last year, and his works are always remarkable for taste and elegance. He is quite the first—*fucile princeps*—in this line. Davidson shows signs of imitating Birkett Foster, and does himself no good thereby. Dodgson is another landscapist, simple and quiet in style, who goes to nature and profits by so doing.

Two pictures by Carl Haag, "The Gate of Justice, Jerusalem," and "A Rehearsal, Cairo," are, I think, the gems of the gallery. The latter is as fine a piece of coloring as I have seen in any exhibition of late years. Fred. Taylor, the President of the Society, contributes as usual some excellent animals and peasants; his works are always good, but I do not observe any of especial note this year.

Harding, Richardson, and Collingwood Smith, are all good painters, and have wonderful facility of drawing and manipulation, but they are too conventional and dramatic in style, and the last named given to the sin of violence in color.

I have just glanced at some of the principal names, and should be glad to stop here, but there is a great buzz of critics touching the works of Newton and Naftel, which compels me to say that I totally disagree with them on this point, and am compelled to limit my

LONDON, May 18, 1861.

admissions in favor of these painters to skill in drawing, which they no doubt possess; but their pictures are utterly odious in my eyes, staring, crude, gaudy, incongruous, and in many instances false in color, and utterly wanting in repose. Some of these works haunt me like evil spectres; I can describe the impression they make only by saying that they look as if the skin somehow had been peeled off from nature's landscape for the purpose of exposing its raw muscles and crude anatomy. These are the works which it is now the fashion to praise, whilst everything quiet, pure and complete is overlooked or decried.

It is, of course, quite possible that I may be wrong and the critics and their public right in their judgment of art; but the fact is certain that just now elaborate finish—elaborate to excess—and gaudy coloring are the great passports to reputation, or, rather, popularity. I have looked at nature under various aspects and in various climates—I have seen gorgeous effects, far more gorgeous than any painter can or ever will be able justly to express in color—but I never once saw a gaudy or staring effect in nature, and until I do, I will not believe in painters who put such effects on paper or canvas.

W.

A correspondent writes from Paris under a recent date:

"The spring has now fairly set in, the trees and shrubbery in the Tuilleries gardens are rapidly unfolding their leaves, and the grass has all the freshness and verdure of June. If the present fine weather continues, we shall have the country in full dress by the beginning of May, when I shall probably take another run down to Fontainebleau for a few more trees. I dare say it strikes you as odd that I, hailing from a land covered with forests, should be so eager to study forest scenery abroad. Nothing, however, could be more natural. The forest scenery of the old world has a character for the most part quite distinct from that of the new, and especially is this true in relation to Fontainebleau. An American forest springs from a virgin soil rich with the deposits of ages, the trees crowding together in the midst of a tangled undergrowth, and rising like vast columns in a temple, straight and branchless for a hundred feet or more, the eye vainly seeking to penetrate their serried ranks and soon wearying of the perpetual sameness which reigns over all. A fallen tree overthrown by the wind, the black mold clinging to its matted roots, a shattered trunk blasted by lightning, its mighty stem rifted and splintered into numberless fragments, a mass of rocks fringed with ferns or carpeted with mosses, a marshy pool or running stream, these, with the denizens of the forest, not always pleasant to meet, furnish the principal objects and incidents that diversify the scene. The forest of Fontainebleau, on the other hand, presents a perpetual and never-ending variety. The soil is of a sandy loam, strong enough in parts to encourage a hardy and thrifty growth of trees, beech, birch, oaks and chestnuts, but in other parts is so thickly strewn with boulders and broken into gorges and ravines that but a few scattered groups or single trees are able to maintain a precarious foothold in the scanty soil. But there is no barrenness even

in such places. There is little grass, but in its place you find rich beds of heather interspersed with ferns and fruit-bearing plants. At every step the scene is found to change: here a charming vista conducting the eye through checkered patches of sunlight into the solemn gloom of the forest or perhaps a glimpse of purple distance; there a broad, sunny lawn with its tufts of heather and dwarfed evergreens, or else vast masses of rocks thrown together in the wildest confusion, with foot-paths invitingly leading among their recesses. In short, it is a sort of little Paradise, especially ordered and devised for the study and delectation of painters and all lovers of the picturesque,—and this is the reason why I find it so pleasant and profitable to be there."

THE CRAYON.

NEW YORK, JULY, 1861.

Sketchings.

A STATUE IN COURT.

THOM's statue of Washington has had a legal life, as well as a life political and artistic. It has contributed to Law as well as to Art.

In the case of Snedeker against Warring, the New York Court of Appeals had that statue before it: not bodily, but as corporations and infants are said to be before a court, that is, by a learned representative. That case presented the curious and important question, whether the statue was real or personal estate. The two litigant parties claimed it adversely; the one, who had purchased the farm on which it stood, claimed the statue as a part of the land, like stone gate-posts or a flagging pavement; the other, who had purchased all the personal estate on the premises, claimed the statue as part of his goods and chattels, like a perch of quarried stone.

It was a rare beauty of the case that there was no dispute about the facts, and nothing to prevent the court from going profoundly into the law.

The sculptor had a farm, upon which he erected "a dwelling-house of red stone, in the Gothic style, and at the same time prepared a base in the lawn and placed upon it a colossal statue of Washington." "The statue with its pedestal was made from a single block of red stone, similar in color to the stone of which the house was erected, and it weighed between three and four tons." [Report of the case.] A mound of earth was raised, and upon it there was a base made of square blocks of the same sort of stone, not clamped or cemented together, and upon such base the statue with its pedestal stood by its own weight. It had stood there undisturbed for six or seven years, and it seemed, from the testimony of Mr. Thom, that it had been for sale all that time, and had been placed there "to remain there only until he should be able to make sale of it." Under these circumstances, the court decided that the statue was a part of the farm, and passed by a deed of the land, and that the purchaser of the personal property could not hold it.

Learned judges differed on this question, but a majority placed the statue in the same category with stone fences and cellar walls. There was a fine display of Roman law, in citations from the Pandects, *Corpus Juris Civilis*, Labeo and Kreigel, and of the French Law, from the *Code Napoleon*, Pothier and Ledru Rollin. The following passage in the prevailing opinion is a sample of the judicial animation excited by the cause:

"It is said the statues and sphinxes of colossal size, which adorn the avenue leading to the temple of Karnac, at Thebes, are secured on their solid foundations only by their own weight. Yet that has been found sufficient to preserve many of them undisturbed for four thousand years (*Taylor's Africa*, 113 *et seq.*); and if a traveller should purchase from Mehemet Ali the land on which these interesting ruins rest, it would seem quite absurd to hold that the deed did not cover the statues still standing, and to claim that they were the still unadministered personal assets of the Ptolemies, after an annexation of such long duration. No legal distinction can be made between the sphinxes of Thebes and the statue of Thom. Both were erected for ornament, and the latter was as colossal in size and as firmly annexed to the land as the former, and by the same means."

"I apprehend the question, whether the pyramids of Egypt or Cleopatra's Needle are real or personal property, does not depend on the result of an inquiry by the antiquarian whether they were originally made to adhere to their foundations with wafers, or sealing wax, or a handful of cement. It seems to me puerile to make the title to depend upon the use of such or of any other adhesive substances, when the weight of the erection is a much stronger guaranty of permanence."

One of the judges who dissented from the majority, stoutly supported himself with authorities from the English Law, and also cited some quite apposite principles from the Roman and French Law. He thus concludes :

"Under the provisions of the *Code Napoleon*, the articles in question would be regarded as personality: 'All movables which the owner of an estate has annexed to it permanently are immovables by destination.' The owner is deemed to have attached permanently to his estate movable effects, where they are fastened to it by plaster, lime or cement, or when they cannot be detached without being broken or injured or without breaking or injuring that to which they are attached. As to statues, they are movables when they are placed in a niche made expressly to receive them, although they may be removed without fracture or injury (§§ 524, 525). Commenting on these provisions, Toullier says (1 *Droit Civil Français*, 12): 'Whence it follows that those which have been placed upon pedestals in houses, courts and gardens, preserve the qualities of movables.'

Notwithstanding this good reasoning, the court, by a majority of voices, pronounced the statue to be real estate, a part and parcel of the farm!

Subsequent events have shown how entirely personal property and a movable thing this statue really was. The litigation was hardly ended before the statue left